

September 13, 2005

TO: City of Lincoln Personnel Board Members

SUBJECT: Personnel Board Meeting
Thursday, September 15, 2005
1:30 p.m., Council Chambers
County-City Building

N O T I C E

The meeting previously announced for Thursday, September 15, 2005, has been cancelled.

The next meeting is tentatively set for Thursday, October 20, 2005 at 1:30 p.m.

September 8, 2005

TO: City of Lincoln Personnel Board Members

SUBJECT: Personnel Board Meeting
Thursday, September 15, 2005
1:30 p.m., Council Chambers
County-City Building

A G E N D A

- ITEM 1: Request to amend Section 2.76.175 of the Lincoln Municipal Code — Compensation Plan; Promotion, Transfer, Demotion, or Temporary Promotion.
- ITEM 2: Request to amend Section 2.76.380 of the Lincoln Municipal Code — Sick Leave with Pay.
- ITEM 3: Request for appeal hearing – Joyce George — Mayor's/Aging.
- ITEM 4: Election of Chair.
- ITEM 5: Election of Vice-Chair.
- ITEM 6: Miscellaneous Discussion.

PC: Joan Ross, City Clerk
Joyce George

2.76.175 Compensation Plan; Promotion, Transfer, Demotion, or Temporary Promotion.

(a) In the case of promotion for an employee with a pay range prefixed by "N" or "X", the rate of the promoted employee shall be increased to that step in the higher range next above his rate of pay prior to promotion. In the case of promotion for an employee with a pay range prefixed by "E" or "M", such increase is intended to be at least five percent. In the case of transfer, the employee's rate will remain unchanged at the time of transfer. In the case of an involuntary demotion for an employee with a pay range prefixed by "E" or "M", the rate of pay shall be reduced at least four and one-half percent. Under no circumstances shall the new rate exceed the maximum rate for the lower class in the variable merit pay plan.

In the case of a voluntary demotion for an employee with a pay range prefixed by "E" or "M", the employee concerned shall normally be paid at the same rate in the lower pay range. If the employee's rate of pay exceeds the maximum rate of the lower pay range, the employee's rate of pay shall be frozen (red-circled) until such time that the maximum rate, through general increases, makes sufficient upward movement so that it exceeds the employee's rate of pay. When the maximum rate meets or exceeds the employee's frozen (red-circled) rate through general increases, the employee's frozen rate of pay shall then increase to the maximum rate. However, if after one year the maximum rate does not meet or exceed the employee's frozen (red-circled) rate of pay, the employee's rate of pay will be reduced four and one-half percent (4.5%) or to the maximum rate, whichever results in the smallest decrease in pay. Each year thereafter, the employee's rate of pay shall be reduced an additional four and one-half percent (4.5%) or to the maximum rate, which ever results in the smallest decrease in pay.

In the case of demotion for an employee with a pay range prefixed by "N" or "X", the rate of the demoted employee shall be reduced to the next lower step for the lower class and under no circumstances shall the new rate exceed the maximum rate for the lower class in the merit pay plan.

(b) A promotion of any employee during such employee's probationary period shall have the effect of ending the probationary period for that employee and making such employee a regular employee. However, a reclassification of a probationary employee to a position in a newly created class with a higher pay range will not terminate the probationary period.

(c) Any regular employee, with a pay range prefixed by "A", "M" or "P", may be temporarily promoted to fill a budgeted position which is temporarily vacant and has a higher

maximum salary than provided by such employee's current pay range. Such temporary promotion must first be approved in writing by the director only after the department head demonstrates that the employee is qualified for the vacant position. Once granted, the employee must actually perform the duties of the vacant position and shall be paid at the rate of at least five percent above the employee's current base salary, or at the minimum rate of the established range of the vacant position, whichever is greater, but any increase in pay greater than five percent must be approved in writing by the Director. No temporary promotion shall be granted for less than forty hours or continue longer than one year from the date of the original assignment and approval by the Director.

(d) Any regular employee, with a pay range prefixed by "A" may be temporarily promoted to fill a budgeted position which is temporarily vacant and has a higher maximum salary than provided by such employee's current pay range. Such temporary promotion must first be approved in writing by the director only after the department head demonstrates that the employee is qualified for the vacant position. Once granted, the employee must actually perform the duties of the vacant position and shall be paid at the rate of at least the next higher step above the employee's current rate of pay which results in at least a 3.25% increase, or at the minimum rate of the established range of the vacant position, whichever is greater, but any increase in pay greater than two steps must be approved in writing by the Director. No temporary promotion shall be granted for less than forty hours or continue longer than one year from the date of the original assignment unless specifically authorized by the Personnel Director for a longer period of time.

2.76.380 Sick Leave with Pay.

Subsections (a) through ~~(f)~~ (g) shall apply to employees not represented by a bargaining unit.

(a) Amount. Sick leave shall be earned by each employee at the factored hourly equivalent of eight hours for each full month of service or twelve hours for each full month of service for an employee with a pay range prefixed by "M" who works a fifty-six hour work week. Earnings shall be computed only for those hours when an eligible employee is in a pay status, excluding overtime.

(b) When taken. Sick leave will be paid only when an employee is unable to perform work duties due to actual personal illness, noncompensable bodily injury, pregnancy, or disease, exposure to contagious disease under circumstances in which the health of other employees or the public would be endangered by attendance on duty, or to keep a medical or dental appointment and for no other reason. A sick leave pay account will be established and funds appropriated for that reason only. Sick leave with pay is intended to be paid on account of sickness rather than a continuation of salary.

Sick leave must be earned before it can be granted, and advancing sick leave is prohibited. An employee may utilize no more than his accrued balance of sick leave. When an employee finds it necessary to be absent for any of the reasons specified herein, the employee shall cause the facts to be reported to his department head in accordance with departmental rules and regulations.

Sick leave shall be earned, but not be granted, during the probationary period occurring after original appointment. An employee must keep his department head informed of his condition. This shall be on a daily basis unless waived by the department head or designated representative. An employee may be required by the Personnel Director to submit a medical certificate for any absence. Failure to fulfill these requirements may result in denial of sick leave. No refund of vacation time shall be allowed due to illness incurred while on vacation leave. Sick leave shall not accrue during any period of leave of absence without pay.

(c) Accumulated sick leave. The accumulation of unused sick leave is unlimited.

(d) Unused sick leave. Upon retirement, death or reduction in force, an employee with a pay range prefixed by "E" or "M", or the employee's beneficiary, shall be paid one-half of his accumulated sick leave. The rate of payment shall be based upon the employee's regular hourly rate of pay at the time the employee retires, is laid off, or at the time of the employee's death.

Upon retirement, death or reduction in force, an employee with a pay range prefixed by "N" or "X", or the employee's beneficiary, shall be paid one-fourth of his accumulated sick leave. The rate of payment shall be based upon the employee's regular hourly rate of pay at the time the employee retires, is laid off, or at the time of the employee's death.

Upon retirement, death or reduction in force, an employee with a pay range prefixed by "A" or "C", or the employee's beneficiary, shall be paid one-half of his accumulated sick leave. The rate of payment shall be based upon the employee's regular hourly rate of pay at the time the employee retires, is laid off, or at the time of the employee's death.

(e) An employee with a pay range prefixed by "~~E~~", "~~M~~", "A", or "C" may be granted time off for a maximum of sixty hours in each calendar year for illness in the employee's immediate family. Immediate family will also include any other family member, whether it be by blood, marriage, legal adoption, or foster children, residing in the household. Family sick leave may also be granted to an employee who has been appointed by a court of competent jurisdiction as legal guardian of any person, with proper documentation. Such time off will be deducted from the employee's accumulated sick leave. Upon written request from an employee in the above-referenced pay ranges, the Personnel Director may waive the ~~forty~~ or sixty hour limit after reviewing the individual circumstances in support of the request.

(f) An employee with a pay range prefixed by "N" or "X" may be granted time off for a maximum of forty hours in each calendar year for illness in the employee's immediate family. For purposes of this subsection (f), the term immediate family shall include the employee's mother, father, sister, brother, husband, wife, child, foster child, mother-in-law, father-in-law, daughter-in-law, son-in-law, stepmother, stepfather, stepchild, stepgrandchild, grandparent, grandchild, and the grandparent of the employee's spouse, or any other relative residing in the household. Family sick leave may also be granted to an employee who has been appointed by a court of competent jurisdiction as legal guardian of any person, with proper documentation. Such time off will be deducted from the employee's accumulated sick leave. Upon written request from an employee in the above-referenced pay ranges, the Personnel Director may waive the forty hour limit after reviewing the individual circumstances in support of the request.

(g) An employee with a pay range prefixed by "E" or "M" may be granted time off for a maximum of sixty hours in each calendar year for illness in the employee's immediate family. For purposes of this subsection (g), the term immediate family shall include the employee's mother, father, sister, brother, husband, wife, child, foster child, mother-in-law, father-in-law, daughter-in-law, son-in-law, stepmother, stepfather, stepchild, stepgrandchild, grandparent,

grandchild, and the grandparent of the employee's spouse. Immediate family will also include any other family member, whether it be by blood, marriage, legal adoption, or foster children, residing in the household. Family sick leave may also be granted to an employee who has been appointed by a court of competent jurisdiction as legal guardian of any person, with proper documentation. Such time off will be deducted from the employee's accumulated sick leave. Upon written request from an employee in the above-referenced pay ranges, the Personnel Director may waive the sixty hour limit after reviewing the individual circumstances in support of the request.

DATE: July 28, 2005

TO: Don Taute

FROM: Joyce George

"I am hereby giving notice of my desire to process my pending grievance dated 7/13/05 to the Personnel Board."

Sincerely,



Joyce E. George

CITY - COUNTY PERSONNEL
2005 JUL 28 PM 3 25

July 13, 2005

TO: S. June Pederson
Director of Lincoln Area Agency on Aging
RE: Reduction of work hours

Dear Ms. Pederson,

On June 30, 2005, you informed me that my work hours would be reduced from 40 hours per week to 30 hours per week.

I believe that this reduction in hours was done in retaliation for reporting petty theft from the Central Kitchen.

This reduction in hours is a violation of the Lincoln Municipal Code and I am filing this grievance as a result.

Sincerely,

A handwritten signature in cursive script that reads "Joyce E. George".

Joyce E. George
Food Production Manager
Central Kitchen



Lincoln-Lancaster County
Personnel Department
Don W. Taute, Director

555 South 10th Street
Rooms 201 & 107
Lincoln, Nebraska 68508

402-441-7597
fax: 402-441-8748



MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

June 30, 2005

Joyce E. George
521 B Street
Lincoln, NE 68502

RE: Official Layoff Notice


Dear Ms. George:

Due to lack of funding in the FY 2005-2006 City of Lincoln budget, we regret to inform you that beginning ***August 11, 2005** your position of Food Production Manager in the Mayor's Department, Aging Division will be reduced in funding to 30 hours per week.

In accordance with established layoff procedures, you may or may not have retreat rights to lower level positions in related classifications. Also, it is possible you are qualified to interview for vacant positions for which we are presently recruiting. For further information regarding these options, you must notify, in writing, Pat Kant in the Personnel Department before 4:30 p.m. on ****July 6, 2005** that you want to investigate these options. If she does not receive notification by this date, we will have to assume you do not wish to discuss retreat rights or the availability of vacant positions.

We regret the need to conduct this reduction-in-force and are available to assist you in any way we can.

Sincerely,


June Pederson, Director
Lincoln Area Agency on Aging


Don Taute, Personnel Director

Enclosures

cc: Pat Kant, Personnel Coordinator
Bill Thoreson, Benefits Specialist

*10 working days

**3 working days